

**CITY OF ISSAQUAH
DEVELOPMENT SERVICES DEPARTMENT
ADMINISTRATIVE REVIEW**

NOTICE OF DECISION

OWNER: Watts Properties LLC
17 NW Alder Pl, #206
Issaquah, WA. 98027
Attn: Keith Watts

APPLICANT: City of Issaquah Public Works Engineering Dept.
P.O. Box 1307
Issaquah, WA. 98027
Attn: Kerry Ritland

PROJECT: **Watts Short Plat (2 lots)**

APPLICATION: **SP14-00002**

DATE OF DECISION: September 18, 2014

REQUEST: Subdivide a 35,990 SF parcel into 2 lots. The parcel is located adjacent to Issaquah Creek and is entirely within the 100-foot stream buffer and most of the site is within the 100-year floodplain. There is an existing single family residence which would remain on Lot 1 (10,590 SF). Lot 2 (25,400 SF) is proposed to be donated to the City of Issaquah for preservation as open space. There are 3 existing City drainage easements on Lot 2.

LOCATION: 275 Front St S

PARCEL NUMBER: 3324069063

COMPREHENSIVE PLAN DESIGNATION: "Low Density Residential" by the City's Comprehensive Plan's Use Designation Map, as amended January 16, 2011, Ord. 2643.

ZONING: "SF-SL" (Single Family Small Lot)

DECISION MADE: On September 18, 2014, the Development Services Department conditionally approved the application for the Watts Short Plat, application SP14-00002. Approval of the application is based on the submittal made on June 9, 2014, and additional information received thereafter. Short Plat approval is subject to the following conditions:

1. Lot 2 shall be labeled as an unbuildable lot or tract on the short plat plans prior to recording.
2. Minor detail plan sheet revisions are required prior to the applicant submitting mylar plans for recording. The plan sheet revisions will not substantively alter the proposed plans. The

specific, required plan revisions will be provided to the applicant separate from this notice of decision on the short plat.

3. All new property corners of the lots shall have a rebar and cap set per current WAC guidelines for land surveys.

Recording of the Short Plat

4. All short plats shall be filed with the King County Department of Records and Elections and shall not be deemed formally approved until filed. The filing of the short plat shall be the responsibility of the applicant. Every short plat filed for record must be accompanied by a title report confirming that the title of the lands as described and shown on the short plat is in the name of the applicant.
5. Following expiration of the appeal period of this Notice of Decision, the applicant shall provide the City with a mylar of the approved short plat. Upon City signature of the Mylar, the applicant shall record the approved Short Plat with the King County Department of Records and Elections.
6. Three copies of the recorded Short Plat drawings shall be provided to the Development Services Department within ten (10) days of recording with the King County Department of Records and Elections.
7. One (1) electronic copy of the final plans shall be provided in a software format acceptable to the Public Works Department.

REASONS FOR DECISION:

- 1) Issaquah Municipal Code (IMC) 18.04.400 of the Land Use Code requires short plats to be reviewed through a Level 2 review process (administrative review and approval). The Level 2 review requires public notice to property owners within 300 feet of the site and a decision by the Development Services Department.
- 2) The application was received on June 9, 2014 and a Notice of Complete Application was issued on June 13, 2014.
- 3) Notice of the short plat application was sent to property owners within 300 feet of the site on June 20, 2014. The 14-day comment period ended on July 7, 2014 and no public comments were received.
- 4) SEPA - Short plats are categorically exempt from SEPA review as a minor land use decision, per WAC 197-11-800(6). This exemption doesn't apply if there are critical areas on the site. The subject site is adjacent to Issaquah Creek and the site is entirely within the 100-foot stream buffer. A SEPA Determination (DNS) was issued August 6, 2014. The comment/appeal period ended August 20, 2014. There were no comments or appeals. No SEPA mitigation measures were required.
- 5) Subdivisions – IMC Chapter 13.18 – The Subdivision Chapter of the Land Use Code includes the following standards for review and approval of short plats:

Application - IMC 18.13.350

- A. *Create legal building sites with respect to zoning and health regulations. Nonbuildable lots may be approved for specific purposes. Such lots shall be marked nonbuildable on the plat;*

Response: Lot 2 is located entirely within the stream buffer of Issaquah Creek and is mostly within the floodway of the creek. According to the project narrative, Lot 2 will be donated to the City of Issaquah for preservation as open space. Lot 2 shall be marked as unbuildable on the short plat plans prior to recording.

- B. *Establish access to a public road for each segregated parcel;*

Response: The exiting residence on Lot 1 would retain its present access off Front St S. Lot 2 fronts on Newport Way SW, which could provide access to the lot, but Lot 2 will remain undeveloped due to critical areas.

- C. *Contain suitable physical characteristics; a proposed short plat may be denied because of critical areas (flood, inundation, wetland (swamp) conditions or steep slopes); or construction of protective improvements may be required as a condition of approval;*

Response: Lot 2 is located entirely within the stream buffer of Issaquah Creek and is mostly within the floodway of the creek where development is prohibited or very limited. The applicant's intent is to donate Lot 2 to the City of Issaquah for preservation as open space. Because critical areas limit the physical suitability of the site for development, Lot 2 shall be marked as unbuildable on the short plat plans prior to recording.

- D. *Consider adjacent municipal and King County subdivision standards, if applicable, in addition to the requirements of this Code; and*

Response: No additional subdivision standards are applicable to the proposal.

- E. *Provide for adequate drainage ways, streets, alleys, other public ways, water supplies and sanitary wastes, as deemed necessary. (Ord. 2596 § 3 (Exh. B2), 2010).*

Response: There are 3 existing City drainage easements on Lot 2 which would remain. Public Works Engineering has determined no dedication of street right-of-way is required and no frontage improvements on Newport Way SW or Front St S are required.

Design Standards - IMC 18.13.380

- A. *Lands which the Planning Director/Manager has found to be unsuitable due to flood, inundation, or swamp conditions likely to be harmful to the safety, welfare and general health of the future residents, and the Planning Director/Manager considers inappropriate for development, shall not be subdivided unless adequate means of control have been formulated by the applicant and approved by the Public Works Director.*

Response: The subject site is entirely within the 100-foot stream buffer of Issaquah

Creek and in the 100-year floodplain. A new lot for development purposes may not be created because there is no developable area outside the stream buffer. The owner of the property has proposed to donate Lot 2 to the City of Issaquah to be preserved as open space. Lot 1 has an existing single-family residence which would remain. The short plat shall include a note that Lot 2 is unbuildable and shall not be developed.

- B. *The applicant shall furnish a soil test if required by the Public Works Director. The Public Works Director shall determine whether control measures are warranted. The applicant shall be responsible for the design, installation and expense of any device or corrective measures subject to the approval of the Public Works Director.*

Response: A soils test was not required for the short plat application. Lot 2 will not be developed. A soils report may be required with a building permit application for additions/modifications to the existing residence on Lot 1.

- C. *All lots shall abut upon or have adequate access, by easement or private road, to a dedicated or deeded public right-of-way. In the event that an existing abutting public right-of-way does not meet the minimum width standards, additional right-of-way may be required prior to approval of a short subdivision.*

Response: The existing residence on Lot 1 would retain its present access off Front St S. Lot 2 fronts on Newport Way SW, but the lot will remain undeveloped. Public Works Engineering has determined no dedication of street right-of-way is required and no frontage improvements on Newport Way SW or Front St S are required.

- D. *The minimum land area for each lot shall be no less than the minimum allowed by this Code (District Standards Table, IMC 18.07.360) for the specific zone in which the proposed short subdivision is planned to be located, plus any additional area to be used for access easement and/or private roadway.*

Response: The property is zoned Single Family Small Lot (SF-SL) and the minimum lot size is 6,000 square feet according to the District Standards Table, IMC 18.07.360. Proposed Lot 1 (10,590 SF) and Lot 2 (25,400 SF) meet the minimum lot size of the SF-SL zone.

Required Improvements – IMC 18.13.390

- A. *Prior to approving any short plat, the Planning Director/Manager shall determine that the following improvements are available for each parcel created by the division of land:*

1. *Adequate water supply when necessary;*

Response: The lots have water service from the City of Issaquah. There are existing water lines in Front St S and Newport Way SW.

2. *Adequate method of sewage disposal;*

Response: The lots have sanitary sewer service from the City of Issaquah. A sewer line exists in Front St S.

3. *Provision for appropriate deed, dedications and easements;*

Response: Lot 2 is presently encumbered with 3 City drainage easements, which would not be changed by the proposed short plat. Public Works Engineering has determined no dedication of street right-of-way is required.

4. *Storm drainage improvements and storm sewers when necessary;*

Response: No development or improvements are proposed with the short plat that would require storm drainage facilities.

5. *Fire hydrants when necessary;*

Response: Adequate fire hydrants are currently available. An existing fire hydrant is located along the Newport Way SW street frontage.

6. *Street and alley paving, and concrete curbs, gutters and sidewalks when necessary;*

Response: The exiting residence on Lot 1 would retain its present access off Front St S and Lot 2 would not be developed in the future. Public Works Engineering has determined no frontage improvements on Newport Way SW or Front St S are required.

7. *Street lights when necessary;*

Response: Public Works Engineering has determined no frontage improvements, including street lights, are required on Newport Way SW or Front St S.

8. *Adequate provisions for sidewalks and other planning features that assure safe walking conditions for students who walk to and from school.*

Response: There are presently sidewalks along the street frontages of Newport Way SW or Front St S.

6) District Standards – IMC 18.07.360

The District Standards table includes the following development standards that apply to subdividing property in the Single Family Small Lot (SF-SL) zoning designation:

Density: Maximum density of 7.26 dwelling units per acre. The proposal is for a total of 2 lots on 0.82 acres. Lot 2 is not proposed as a development parcel and therefore the maximum density standard doesn't apply.

Minimum Lot Size: 6,000 square foot (SF) minimum lot size. Proposed Lot 1 ((10,590 SF) and Lot 2 (25,400 SF) meet the minimum lot size of the SF-SL zone.

Other development standards (i.e. building setbacks, impervious surface standards, and building height) would apply to future building expansion on Lot 1.

7) Tree Retention – IMC 18.12.1385

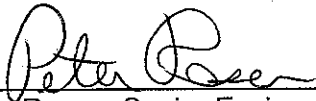
The entire site is within the stream buffer of Issaquah Creek so there is no "developable" area on the site. Tree retention requirements are required for subdivisions and short plats and apply to trees in the "developable" area of a site, because critical area buffers are already protected. Lot 2 will be noted as unbuildable on the short plat. All existing trees on

Lot 2 would be preserved, except for those determined to be hazard trees.

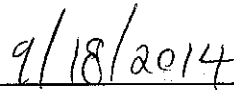
- 8) Impact Fees - Impact fees are required for building permits on newly created lots. Lot 2 will not be developed and will be protected as open space and therefore impact fees will not apply.
- 9) City Department Comments - The application was routed to other City Departments and those comments are incorporated into this decision.
- 10) Appeals - An appeal of this short decision (Level 2) must be filed with the Development Services Department Permit Center within 14 days of this notice of decision, by 5:00 PM on October 2, 2014.
- 11) Expiration of Short Plat - This Short Plat Notice of Decision is valid for three years as specified by IMC 18.04.220-D, or as amended by the Land Use Code.

EXHIBIT LIST:

1. Short Plat Application, SP14-00002, received 6-9-2014
2. Vicinity Map
3. Affidavit of Ownership and Affidavit of Agent Authority
4. Project narrative
5. Short Plat drawings, 2 Sheets
6. Environmental Checklist
7. SEPA Determination



Peter Rosen, Senior Environmental Planner
Development Services Department



Date